

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

GERALD MILLER  
CATHERINE MILLER  
Debtor(s)

Ronda J. Winnecour  
Chapter 13 Trustee,  
Movant  
vs.  
No Respondents.

Case No.:17-70492 JAD

Chapter 13

Document No.:

**CHAPTER 13 TRUSTEE'S MOTION FOR DISCHARGE OF DEBTOR  
AND APPROVAL OF TRUSTEE'S REPORT OF RECEIPTS AND DISBURSEMENTS**

Ronda J. Winnecour, Chapter 13 Trustee, respectfully represents the following:

1. The plan was confirmed in this Chapter 13 case, and the undersigned served as Trustee.
2. The Trustee has examined the terms of the confirmed Chapter 13 plan, the history of payments to creditors and the claims filed in this Chapter 13 case. The Trustee now recommends that the Court treat this Chapter 13 case as complete.
3. Attached hereto, please find the **Trustee's Report of Receipts and Disbursements** in this case.
4. After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee's office will file **UST FORM 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account** (the "Final Report"). Upon submission of the Final Report, the Trustee asks the Court to discharge her from her duties in this case and close this case.

**Wherefore**, the Trustee requests that the Court,

1. Grant the Debtor(s) a discharge pursuant to Section 1328(a) of the Bankruptcy Code, \*
2. Approve the Trustee's Report of Receipts and Disbursements,
3. Terminate wage attachments,
4. Revest property of the estate in the debtor(s), and
5. Enter a final decree and close this case.

September 28, 2020

**\* A portion of the mortgage is to be paid following the conclusion of the case based on a settlement agreement.**

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399  
CHAPTER 13 TRUSTEE WD PA  
600 GRANT STREET  
SUITE 3250 US STEEL TWR  
PITTSBURGH, PA 15219  
(412) 471-5566  
cmecf@chapter13trusteewdpa.com

**TRUSTEE'S REPORT OF RECEIPTS AND DISBURSEMENTS**

Ronda J. Winnecour, Trustee for the above case, submits the following report pursuant to 11 USC 1302 (b) (1).

1. The case was filed on 06/29/2017 and confirmed on 2/1/19 . The case was subsequently Completed After Confirmation

2. The Trustee made the following disbursements.

Total Receipts		35,210.00
Less Refunds to Debtor	17.99	
<b>TOTAL AMOUNT OF PLAN FUND</b>		<b>35,192.01</b>

Administrative Fees		
Filing Fee	0.00	
Notice Fee	0.00	
Attorney Fee	2,025.00	
Trustee Fee	1,628.33	
Court Ordered Automotive Insurance	0.00	
<b>TOTAL ADMINISTRATIVE FEES</b>		<b>3,653.33</b>

Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Secured					
	FIRST COMMONWEALTH BANK*	0.00	17,536.15	0.00	17,536.15
	Acct: 8158				
	FIRST COMMONWEALTH BANK*	157.67	157.67	0.00	157.67
	Acct: 8158				
	EDNA MILLER	0.00	0.00	0.00	0.00
	Acct:				
	S & T BANK(*)	0.00	0.00	0.00	0.00
	Acct: 7201				
	ELDERTON STATE BANK*	0.00	0.00	0.00	0.00
	Acct: 6972				
	FIFTH THIRD BANK	0.00	0.00	0.00	0.00
	Acct:				
	FIFTH THIRD BANK	0.00	0.00	0.00	0.00
	Acct: 2735				
	S & T BANK(*)	10,000.00	10,000.00	1,672.60	11,672.60
	Acct: 7200				
	S & T BANK(*)	0.00	0.00	0.00	0.00
	Acct:				
	S & T BANK(*)	0.00	0.00	0.00	0.00
	Acct: 7200				
					<b>29,366.42</b>

Priority					
	DONALD R CALAIARO ESQ	0.00	0.00	0.00	0.00
	Acct:				
	GERALD MILLER	0.00	0.00	0.00	0.00
	Acct:				
	GERALD MILLER	17.99	17.99	0.00	0.00
	Acct:				
	CALAIARO VALENCIK	2,025.00	2,025.00	0.00	0.00
	Acct:				
	BERKHEIMER TAX ADMINISTRATOR**	0.00	0.00	0.00	0.00
	Acct:				
	INTERNAL REVENUE SERVICE*	0.00	0.00	0.00	0.00
	Acct:				

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Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Priority					
	PA DEPARTMENT OF REVENUE*	2,172.26	2,172.26	0.00	2,172.26
	Acct: 8299				
					2,172.26
Unsecured					
	ASCAP	0.00	0.00	0.00	0.00
	Acct: 7705				
	BLACKBURN RUSSELL CO	0.00	0.00	0.00	0.00
	Acct: XXXHOM				
	CENTRAL INDIANA COUNTY JOINT S	0.00	0.00	0.00	0.00
	Acct: 2900				
	CICWA WATER	0.00	0.00	0.00	0.00
	Acct: 7930				
	COMCAST++	0.00	0.00	0.00	0.00
	Acct: 2484				
	FOX'S PIZZA DISTRIBUTION INC	7,817.16	0.00	0.00	0.00
	Acct: 6987				
	HUGILL SANITATION INC	0.00	0.00	0.00	0.00
	Acct: 2251				
	MAILSHARK MARKETING	0.00	0.00	0.00	0.00
	Acct:				
	NUCO2	0.00	0.00	0.00	0.00
	Acct: 8391				
	PENELEC	0.00	0.00	0.00	0.00
	Acct: 5862				
	PEOPLES NATURAL GAS CO LLC*	638.63	0.00	0.00	0.00
	Acct: 3617				
	S & T BANK(*)	0.00	0.00	0.00	0.00
	Acct: 1895				
	PA DEPARTMENT OF REVENUE*	284.48	0.00	0.00	0.00
	Acct: 8299				
	US DEPARTMENT OF EDUCATION	7,064.47	0.00	0.00	0.00
	Acct: 6987				
	FIFTH THIRD BANK	2,332.82	0.00	0.00	0.00
	Acct: 2735				
	SYNCHRONY BANK	0.00	0.00	0.00	0.00
	Acct: 2867				
	BRIAN M KILE ESQ	0.00	0.00	0.00	0.00
	Acct:				
	PEOPLES NATURAL GAS CO LLC*	0.00	0.00	0.00	0.00
	Acct:				
	BRIAN C NICHOLAS ESQ	0.00	0.00	0.00	0.00
	Acct:				
	PRESTON D JAQUISH ESQ	0.00	0.00	0.00	0.00
	Acct:				
	CREDITOR INFORMATION MISSING OR V.	0.00	0.00	0.00	0.00
	Acct:				
	GREGORY CUSIAMO	0.00	0.00	0.00	0.00
	Acct:				
	JAMES W CREENAN ESQ	0.00	0.00	0.00	0.00
	Acct:				
	JAMES W CREENAN ESQ	0.00	0.00	0.00	0.00
	Acct:				

\*\*\* NONE \*\*\*

TOTAL PAID TO CREDITORS

31,538.68

TOTAL CLAIMED	
PRIORITY	2,172.26
SECURED	10,157.67
UNSECURED	18,137.56

Date: 09/28/2020

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399  
CHAPTER 13 TRUSTEE WD PA  
600 GRANT STREET  
SUITE 3250 US STEEL TWR  
PITTSBURGH, PA 15219  
(412) 471-5566  
cmecf@chapter13trusteedpa.com

IN RE:

GERALD MILLER  
CATHERINE MILLER  
Debtor(s)

Ronda J. Winnecour  
Movant

vs.  
No Repondents.

Case No.:17-70492 JAD

Chapter 13

Document No.:

ORDER OF COURT

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the **Chapter 13 Trustee's Motion for Discharge of Debtor and Approval of Trustee's Report of Receipts and Disbursements**, and following notice to the creditors and an opportunity to be heard, it is hereby **ORDERED, ADJUDGED** and **DECREED**, as follows:

(1). This Court finds that the Chapter 13 plan, as supplemented by any and all amendments, has been fully and finally completed.

(2). The debtor(s) is/are entitled to and shall receive a discharge in this case pursuant to Section 1328(a) of the Bankruptcy Code. \*

(3). To the extent not previously terminated, the wage attachment(s) issued in this case is/are immediately terminated and the debtor(s) shall serve a copy of this order on any affected employer(s).

(4). Property of the estate hereby reverts in the debtor(s). This revestment of property is free and clear of any and all claims or interests except as otherwise treated in the plan or in the Order confirming the Plan. All restrictions of the debtor(s)' use of the property of the estate is hereby terminated.

(5). Each and every creditor is bound by the provisions of the completed plan, whether or not the claim of such creditor is provided for in the Plan, and whether or not such creditor has objected to, has accepted or rejected the plan. All mortgage and other secured debts provided for by the Plan are hereby found to be cured of any and all monetary defaults as of the payment date for which the Trustee last made a distribution, and no additional interest, late fees or penalties may be assessed for time periods or payments due prior to that date.

(6). After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee shall file UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account (the "Final Report"). Upon submission of the Final Report, the Trustee is discharged from her duties in this case and the case will be closed.

**\* A portion of the mortgage is to be paid following the conclusion of the case based on a settlement agreement.**

BY THE COURT:

\_\_\_\_\_  
U.S. BANKRUPTCY JUDGE

In re:  
Gerald Miller  
Catherine Miller  
Debtor(s)

Case No. 17-70492-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7

User: jfur

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Date Rcvd: Sep 30, 2020

Form ID: pdf900

Total Noticed: 32

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Gerald Miller, Catherine Miller, 103 Jacksonville Road, Homer City, PA 15748-1108
cr	+ S&T Bank, 355 North Fifth Street, Indiana, PA 15701-1940
14651648	+ ASCAP, P.O. Box 331608, Nashville, TN 37203-7515
14651649	+ Berkheimer, P.O. Box 995, 50 North Seventh St., Bangor, PA 18013-1798
14651650	+ Blackburn Russell Company, Inc., 157 Railroad St., P.O. Box 157, Bedford, PA 15522-0157
14651651	Brian M. Kile, Esquire, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
14651652	+ CICJA Sewage, 603 South Main Street, Homer City, PA 15748-1615
14651653	+ CICWA Water, 30 East Wiley Sreet, Homer City, PA 15748-1543
14651655	++ ELDERTON STATE BANK, 143 N MAIN ST, PO BOX 427, ELDERTON PA 15736-0427 address filed with court:, Elderton State Bank, 143 North Main Street, Elderton, PA 15736
14925570	Edna Miller, 103 Palmer Ave., Patton, PA 16668
14662386	+ Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
14674963	+ First Commonwealth Bank, c/o McGrath McCall, P.C., Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225
14651657	+ Fox's Pizza Den, 4425 William Penn Highway, Murrysville, PA 15668-1917
14747743	+ Fox's Pizza Distribution, Inc., c/o Jeffrey Owen, Esq., Cooper Owen & Renner, 1 Priority Lane, Box 419, Murrysville, PA 15668-6617
14651658	+ Gregory & Annette Cusiamo, 50 E. Liberty Street, Homer City, PA 15748-1122
14651659	+ Hugills Sanitation, 779 Front Street, Mahaffey, PA 15757-8909
14651661	+ Jeffrey R. Owen, Esquire, Cooper Owen & Renner, P.C., 1 Priority Lane, P.O. Box 419, Murrysville, PA 15668-0419
14651662	+ MailShark Marketing, 4125 New Holland Rd., Mohnton, PA 19540-8632
14651663	NuC02, P.O. Box 417902, Stuart, FL 34997
14651665	+ Penelec, P.O. Box 16001, Reading, PA 19612-6001
14680336	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
14652365	S&T Bank, c/o Brian M. Kile, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
14652364	+ S&T Bank, 355 North 5th Street, Indiana, PA 15701-1940
14651667	+ S&T Bank, PO Box 190, Indiana, PA 15701-0190
14651668	+ S&T Bank/Visa, P.O. Box 790408, Saint Louis, MO 63179-0408
14743832	U S Department of Education, P O Box 16448, St. Paul, MN 55116-0448

TOTAL: 26

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14651654	+ Email/Text: documentfiling@lciinc.com	Oct 01 2020 03:15:00	Comcast, 676 Island Pond Rd., Manchester, NH 03109-4840
14651656	Email/Text: bankruptcynotice@fcbanking.com	Oct 01 2020 03:15:00	First Commonwealth Bank, P.O. Box 400, Indiana, PA 15701
14651660	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 01 2020 03:15:00	Internal Revenue, Bureau of Collections and Taxpayer Servi, P.O. Box 2811041, Harrisburg, PA 17128-0001
14651664	+ Email/Text: RVSVCBICNOTICE1@state.pa.us		

District/off: 0315-7

User: jfur

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Date Rcvd: Sep 30, 2020

Form ID: pdf900

Total Noticed: 32

		Oct 01 2020 03:16:00	PA Department of Revenue, Bureau of Compliance, 5th Floor Strawberry Square, Harrisburg, PA 17128-0001
14653367	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 01 2020 03:31:32	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14665158	Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 01 2020 03:16:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946

TOTAL: 6

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FIFTH THIRD BANK
cr		Fifth Third Bank
cr		Fox's Pizza Den, Inc.
cr		Fox's Pizza Distribution, Inc.
cr	*+	First Commonwealth Bank, c/o McGrath McCall, P.C., Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14887807	*+	Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
14651666	##	Peoples Gas, P.O. Box 6766, Pittsburgh, PA 15212-0766
jdb	*+	Catherine Miller, 103 Jacksonville Road, Homer City, PA 15748-1108

TOTAL: 4 Undeliverable, 5 Duplicate, 1 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 02, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 28, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FIFTH THIRD BANK bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Fifth Third Bank bnicholas@kmlawgroup.com
Brian M. Kile	on behalf of Defendant S & T Bank bkile@grenenbirsic.com mcupec@grenenbirsic.com;lstanger@grenenbirsic.com
Brian M. Kile	on behalf of Creditor S&T Bank bkile@grenenbirsic.com mcupec@grenenbirsic.com;lstanger@grenenbirsic.com
Donald R. Calaiaro	on behalf of Plaintiff Catherine Miller dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;ah Heath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped

District/off: 0315-7

User: jfur

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Date Rcvd: Sep 30, 2020

Form ID: pdf900

Total Noticed: 32

uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Donald R. Calaiaro

on behalf of Joint Debtor Catherine Miller dcalaiaro@c-vlaw.com  
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped  
 uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Donald R. Calaiaro

on behalf of Debtor Gerald Miller dcalaiaro@c-vlaw.com  
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped  
 uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Donald R. Calaiaro

on behalf of Plaintiff Gerald Miller dcalaiaro@c-vlaw.com  
 cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped  
 uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Jacob Oresick

on behalf of Creditor Fox's Pizza Den Inc. joresick@cbattorneys.com

Jacob Oresick

on behalf of Creditor Fox's Pizza Distribution Inc. joresick@cbattorneys.com

James W. Creenan

on behalf of Creditor Fox's Pizza Den Inc. jcreenan@cbattorneys.com, jparise@cbattorneys.com

James W. Creenan

on behalf of Creditor Fox's Pizza Distribution Inc. jcreenan@cbattorneys.com, jparise@cbattorneys.com

Mark B. Peduto

on behalf of Debtor Gerald Miller mpeduto@c-vlaw.com  
 jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Mark B. Peduto

on behalf of Joint Debtor Catherine Miller mpeduto@c-vlaw.com  
 jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Preston D. Jaquish

on behalf of Creditor First Commonwealth Bank pjaquish@lenderlaw.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 18